

REMARKS

The Examiner has objected to the disclosure under 37 CFR 1.163(a).

In paragraph "A," the Examiner has requested that the botanical name of the plant be italicized. Applicant has amended the specification to italicize the botanical name of the plant. Withdrawal of this objection is respectfully requested.

In paragraph "B," the Examiner has objected to the recitation "interspecific cross" as not being a proper specific epithet or species name of the claimed plant. Applicant has amended the specification to remove this recitation and to substitute "*hybrida*." Withdrawal of this objection is respectfully requested.

In paragraph "C," the Examiner has requested clarification of the name and patent number of the cultivar described in paragraphs [0003] and [0010]. Applicant has amended the specification to recite the correct variety name and United States Plant Patent number. Withdrawal of this objection is respectfully requested.

In paragraph "D," the Examiner has requested correction of the description of Figure 2. Applicant has amended the specification to correct this description. Withdrawal of this objection is respectfully requested.

In paragraph "E," the Examiner has requested a statement that the claimed cultivar is stable and reproduces true to type in successive generations of asexual reproduction. Applicant has so amended the specification. Withdrawal of this objection is respectfully requested.

In paragraph "F," the Examiner has requested clarification of what is being described at paragraphs [0068] through [0072]. Applicant has amended the specification to clarify that the disc florets are being described. References to "bud" in these paragraphs have been removed. Withdrawal of this objection is respectfully requested.

In paragraph "G," the Examiner has requested clarification of bud color as paragraph [0068] does not correspond with the bud color given in Figure 2. Applicant respectfully requests to submit this information at a later time as it is not available because the plants are not flowering at the present time.

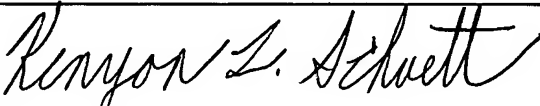
In paragraph "H," the Examiner requests information on whether 'Orange Symphony' has been patented in the United States. Applicant has amended the specification to provide the correct cultivar name and plant patent number. Withdrawal of this objection is respectfully requested.

In paragraph "I," the Examiner has requested correction of the claim to include the word "plant" after "Osteospermum." Applicant has amended the claim as requested by the Examiner. Withdrawal of this objection is respectfully requested.

The claim is rejected under 35 U.S.C. §112, first and second paragraphs, as not being supported by a clear and complete botanical description of the plant. Applicant has amended the specification to provide a clearer and more complete botanical description of the plant. Withdrawal of this rejection is respectfully requested.

Attached hereto are marked-up and clean versions of the specification. The attached pages are captioned "**Version with markings to show changes made**" and "**Clean Version**".

In view of the above amendments and remarks, it is submitted that the claim satisfies the provisions of 35 U.S.C. § 112 and that the disclosure satisfies the provisions of 37 C.F.R. 1.163(a). Reconsideration of this application and early notice of allowance is requested.

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